

REMARKS

Claims 1, 2, 13, 14 and 15 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Tamura Electric Works (JP2000-331824). Tamura does not disclose a permanent magnet having north and south poles that are located on opposite sides of a pivot of the permanent magnet. Tamura discloses a permanent magnet 5 including a north pole 5a and a south pole 5b. A lever 6 swings about a pivot 7 to support the permanent magnet 5. The poles 5a and 5b of the permanent magnet 5 are not on opposite sides of the pivot 7 as claimed, but instead are located on the same side of the pivot 7.

Additionally, Tamura does not disclose that the permanent magnetic has a first position wherein one of the poles is proximate a frame and remote from a core and the other of the poles is remote from both the frame and the core and a second position wherein the one of the poles is proximate the core and remote from the frame and the other of the poles is remote from both the core and the frame. That is, the claimed invention recites that one of the poles is remote from the frame and the core in both positions. In Tamura, both of the poles are always proximate either the frame or the core. For example, in Figure 2, Tamura shows a core 5 and yokes 11. In the position shown in Figure 2a, the south pole 5b is near the yoke 11, and the north pole 5a is near the core 4. In the other position shown in Figure 2c, the south pole 5b is near the core 4, and the north pole 5a is near the core 4. One of the poles is always near one of the core 4 and the yoke 11. The claimed invention is not anticipated.

Claims 1, 13, 14, 15 and 26 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Rockwell Light Vehicle Systems (EP075962). The features of claim 2 have been added to claim 1, overcoming the rejection.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tamura in view of Tokyo Shibaura Electric Co. (JP61-111105). Claim 8 depends on patentable independent claim 1 and is allowable for the reasons set forth above.

Claims 16, 18, 26, 40 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamura. Claims 16, 18, 26, 40 and 41 depend on patentable independent claim 1 and are allowable for the reasons set forth above.

No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson,

Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully Submitted,

CARLSON, GASKEY & OLDS, P.C.

/Karin H. Butchko/

Karin H. Butchko
Registration No. 45,864
400 West Maple Road, Suite 350
Birmingham, Michigan 48009
Telephone: (248) 988-8360
Facsimile: (248) 988-8363

Dated: July 28, 2008